

NO. : 7:07-CV-176-H

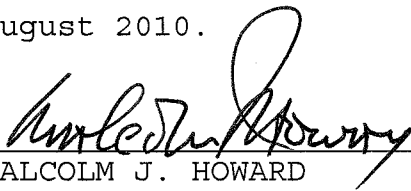
Defendants.

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E.D.N.C. No objection to the M&R having been filed, the parties have waived their right to de novo review of any issue covered in the M&R. Nevertheless, this court has conducted a full and careful review of the M&R and other documents of record and, having done so, hereby finds that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own. The parties' consent motion for summary judgment dismissing Hamby's claims [DE #266] is GRANTED and the action is DISMISSED as to him.

This 25<sup>th</sup> day of August 2010.

  
MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
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